

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
SOUTHERN DISTRICT

SUPERIOR COURT

Docket No. 226-2021-CR-00126

State of New Hampshire

v.

Julie Introcaso

**JOINT MOTION TO INTERVENE OF DANA ALBRECHT, ROBIN PARTELLO,
VIVIAN GIRARD, AND ANY OTHERS SIMILARLY SITUATED**

NOW COME Petitioners Dana Albrecht, Robin Partello, Vivian Girard, and any others similarly situated, *pro se*, and jointly move to intervene in this case pursuant to N.H. Super. Ct. R. 15, and, in support thereof, further state:

1. The Petitioners are individual taxpayers eligible to vote in the State and have standing to petition the Superior Court.¹
2. Further, because “all government of right originates from the people, is founded in consent, and instituted for the general good,”² the Petitioners also “have certain natural, essential, and inherent rights,”³ and are entitled to free, complete, and prompt legal remedies to obtain justice.⁴
3. Further, the Petitioners, pursuant to their rights to free speech,⁵ assembly,⁶ instruction,⁷ and petition,⁸ under both the New Hampshire State Constitution and

1 N.H. Const. pt. 1, art. 8, as amended 2018.

2 N.H. Const. pt. 1, art. 1

3 N.H. Const. pt. 1, art. 2

4 N.H. Const. pt. 1, art. 14

5 U.S. Const. amend. I; N.H. Const. pt. 1, art. 30

6 U.S. Const. amend. I; N.H. Const. pt. 1, art. 32

7 N.H. Const. pt. 1, art. 32

8 U.S. Const. amend. I; N.H. Const. pt. 1, art. 32

Denied-see record of November 15, 2021 hearing.



Honorable Charles S. Temple

November 15, 2021

Clerk's Notice of Decision
Document Sent to Parties
on 11/15/2021

United States Constitution, hereby “petition the Government for a redress of grievances,”⁹ namely that:

4. Defendant Julie Introcaso “failed to perform judicial responsibilities competently and diligently” and “failed to cooperate with other judges and court officials in the administration of court business” in violations of Canon 2, Rule 2.5 of the Code of Judicial Conduct. Consequently, Ms. Introcaso “knowingly refrain[ed] from performing a duty imposed on [her] by law or clearly inherent in the nature of [her] office” in violation of RSA 643:1, and *ad seriatim* in violation of 42 U.S.C. § 1983.
5. Further, Ms. Introcaso’s appointment of her close friend Kathleen Sternenberg as *Guardian ad Litem* (GAL) in at least nine family law cases, and Ms. Introcaso’s subsequent multiple approvals of Ms. Sternenberg’s substantial fee increases, was essentially an illegal “cash for kids” scheme, whereby Ms. Sternenberg was a recipient of a “pecuniary benefit” from Ms. Introcaso within the meaning of RSA 640:2.
6. Indeed, Ms. Introcaso’s actions, while a former judge of the Ninth Circuit Family Court, Nashua, New Hampshire, constituted “the private interest or emolument of any one man, family, or class of men,” specifically, Ms. Sternenberg, in violation of N.H. Const. pt 1, art. 10, which requires:¹⁰

[Art.] 10. [Right of Revolution.] *Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.*

June 2, 1784

⁹ U.S. Const. amend. I

¹⁰ The reader is invited to review the full Bill of Rights in the New Hampshire State Constitution, available at: <https://www.nh.gov/glance/bill-of-rights.htm>

7. Consequently, Petitioners have not only a right, but a duty,¹¹ to intervene, for the “ends of government are perverted, and public liberty manifestly endangered.”¹²



8. To be sure, for “the doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind,”¹³ further considering that:
9. The Defendant Julie Introcaso violated both the state¹⁴ and federal¹⁵ “due process” rights of the Petitioners in her capacity as judge in Petitioners’ and others’ family law cases. Consequently, Ms. Introcaso violated her oath of office to “bear faith and true allegiance to the United States of America and the state of New Hampshire,” and to “support the constitution[s] thereof.”¹⁶
10. The Honorable Charles S. Temple, who is the presiding Judicial Officer in this matter, Senior Assistant Attorney General Geoffrey W.R. Ward, who is the Prosecutor, former Judge Julie Introcaso, who is the Defendant, and former Attorney General Michael A. Delaney, who is the Defendant’s counsel, all are, or previously were, “public servants” within the meaning of RSA 640:2, II(a).

11 N.H. Const. pt. 1, art. 4

12 N.H. Const. pt. 1, art. 10

13 N.H. Const. pt. 1, art. 10

14 N.H. Const. pt 1, art. 8; N.H. Const. pt 1, art. 14; N.H. Const. pt 1, art. 35

15 42 U.S.C. § 1983 and U.S. Const. amend. XIV § 1

16 N.H. Const. pt. 2, art. 84

11. Those, *supra*, who are currently “public servants” are required to perform those duties imposed on them by law or inherent in the nature of their office.¹⁷
12. Those, *supra*, who are former “public servants,” namely, Defendant Julie Introcaso, must be held accountable for all “corrupt practices”¹⁸ or “abuse of office,”¹⁹ in addition to any “falsification in official matters.”²⁰
13. Indeed, N.H. Const. pt. 1, art. 8 requires:

[Art.] 8. [Accountability of Magistrates and Officers; Public’s Right to Know.] *All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public’s right of access to governmental proceedings and records shall not be unreasonably restricted...*

14. However, until recently, these proceedings have been conducted largely in secret, and without public scrutiny. During the September 7, 2021 hearing, Senior Assistant Attorney General Geoffrey W.R. Ward and defense counsel former Attorney General Michael A. Delaney discussed a proposed Alford plea in whispers before the bench, so that the public audience in the courtroom, including Petitioners, would be unable to hear:



17 RSA 643:1

18 RSA 640

19 RSA 643

20 RSA 641

15. Insofar as the Defendant Julie Introcaso previously violated both the state²¹ and federal²² “due process” rights of the Petitioners in her “honorable” court, it is now incumbent upon this Honorable Court to protect and uphold these very same state and federal constitutional rights of the Petitioners and the People.
16. Consequently, the Petitioners, and any others similarly situated, now seek relief from this Honorable Court to intervene, relief that this Honorable Court issue a ruling classifying them as victims pursuant to RSA 21-M:8-k, relief that their testimony is heard and given appropriate weight at all future hearings in this matter; and, in particular, relief that they be heard at any plea or sentencing hearing.
17. The Petitioners incorporate by reference the facts and arguments in their Memorandum in Support of this Motion, filed contemporaneously herewith, the same as if plead in full.

WHEREFORE, Petitioners Dana Albrecht, Robin Partello, and Vivian Girard respectfully pray that this Honorable Court:

- A) Grant the Petitioners’ Motion to intervene as parties in this case; and,
- B) Find that the Petitioners are victims of Defendant Julie Introcaso as defined by RSA 21-M:8-k; and,
- C) Grant all other relief described in ¶16, *supra*; and,
- D) Grant such other and further relief as this Honorable Court deems just and equitable.

²¹ N.H. Const. pt 1, art. 8; N.H. Const. pt 1, art. 14; N.H. Const. pt 1, art. 35

²² 42 U.S.C. § 1983 and U.S. Const. amend. XIV § 1

Respectfully submitted,

/s/ Dana Albrecht

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Date: November 10, 2021

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of the foregoing to Geoffrey W. R. Ward, Esq., counsel of record for the State, and Michael A. Delaney, Esq., counsel of record for the Defendant.

/s/ Dana Albrecht

DANA ALBRECHT

Date: November 10, 2021